COLORADO SPRINGS, COLORADO
CITY COUNCIL CHAMBERS
CITY HALL – 107 N. NEVADA AVENUE
DECEMBER 11, 2012 – 1:00 P.M.

Council met in Regular Session.

There were present: President Hente, President Pro Tem Martin, Councilmembers Bennett, Czelatdko, Dougan, Herpin, Leigh, Snider, and Williams. Also present, Chief of Staff Neumann and City Attorney/Chief Legal Officer Melcher.

1. **Invocation and Pledge of Allegiance.**

The meeting was opened with an invocation by Rabbi Moshe Liberow, Chabad Lubavitch of Southern Colorado.

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2. **Changes to Agenda/Postponements.**

Aimee Cox, City Council Administrator, stated a request was made to postpone Item No. 10, to the Council Meeting of February 12, 2013.

Motion by Herpin, second by Czelatdko, to postpone Item No. 10 to the Council Meeting of February 12, 2013.

President Hente opened the floor for public comment.

There were 43 citizens who spoke—13 were against and 30 were in favor of postponement.

A vote being taken on the motion:

Ayes: Czelatdko, Hente, Herpin, Leigh, Martin, Snider, Williams
Noes: Bennett, Dougan
Absent: None

President Hente declared the motion carried.

CONSENT CALENDAR

3. The following items were acted upon by unanimous consent of the members present:

SECOND PRESENTATION:

A-1. Ordinance No. 12-102 entitled "AN ORDINANCE ESTABLISHING 2013 OPERATING AND OCCUPANCY RATES FOR NON-SIGNATORY AIRLINES AND OTHER USERS AT THE COLORADO SPRINGS MUNICIPAL AIRPORT" was presented for final passage.

A-2 Ordinance No. 12-103 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 11-95 (2012 APPROPRIATION ORDINANCE) BY INCREASING THE GENERAL FUND EXPENDITURE APPROPRIATION IN THE AMOUNT OF $2,095,350 TO CONSTRUCT NEEDED DRAINAGE IMPROVEMENTS IN THE SAND CREEK BASIN" was presented for final passage.

A-3. Ordinance No. 12-107 entitled "AN ORDINANCE MAKING THE ANNUAL TAX LEVY FOR THE CITY OF COLORADO SPRINGS FOR THE YEAR ENDING DECEMBER 31, 2013" was presented for final passage.

A-4. Ordinance No. 12-108 entitled "AN ORDINANCE ADOPTING THE ANNUAL BUDGET AND APPROPRIATING MONIES FOR THE SEVERAL PURPOSES NAMED IN SAID BUDGET FOR THE YEAR ENDING DECEMBER 31, 2013" was presented for final passage.

FIRST PRESENTATION:

B-1. Council Approval of the Mail Ballot Plan for April 2, 2013, Municipal Election.

B-2. Resolution No. 177-12 was presented: "A RESOLUTION APPROVING THE FOURTH AMENDMENT TO THE 2009 INTERGOVERNMENTAL AGREEMENT FOR HUMAN SERVICES BETWEEN THE CITY OF COLORADO SPRINGS AND EL PASO COUNTY, COLORADO".

B-3. Resolution No. 178-12 was presented: "A RESOLUTION REGARDING CERTAIN CHANGES TO COLORADO SPRINGS UTILITIES TARIFF ELECTRIC RATE SCHEDULES".

B-4. Resolution No. 179-12 was presented: "A RESOLUTION REGARDING CERTAIN CHANGES TO COLORADO SPRINGS UTILITIES TARIFF NATURAL GAS RATE SCHEDULES".

B-5. Resolution No. 180-12 was presented: "A RESOLUTION AUTHORIZING COLORADO SPRINGS UTILITIES TO ACQUIRE AN EASEMENT FOR THE HIGHLINE TRANSMISSION MAIN PROJECT".

B-6. Resolution No. 181-12 was presented: "A RESOLUTION DIRECTING THE CHIEF EXECUTIVE OFFICER OF COLORADO SPRINGS UTILITIES TO EXECUTE A GROUNDWATER CAPACITY LEASE AGREEMENT WITH SECURITY WATER DISTRICT".

B-7. AR APR 12-00514: Resolution No. 182-12 was presented: "A RESOLUTION MODIFYING A PLAT RESTRICTION ON LOT 16, FOREST OAKS SUBDIVISION".

B-8. **Indigo Ranch North**

B-8-A. CPC PUZ 12-00077: (Quasi-Judicial Matter) Ordinance No. 12-109 entitled "AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 119.2 ACRES LOCATED SOUTHEAST OF SAND CREEK AND NORTHWEST OF THE DUBLIN BOULEVARD AND MARKSHEFFEL ROAD INTERSECTION" was introduced and read. (A/AO/SS [Agricultural with Airport and Streamside Overlays] to PUD/AO/SS [Planned Unit Development: Single-family Residential, maximum building height of 30 feet, density 4.03 dwelling units per acre with Airport and Streamside Overlays])

B-8-B. CPC PUD 12-00078: (Quasi-Judicial Matter) Request by Classic Consulting Engineers and Surveyors, LLC on behalf of Pulpit Rock Investments, LLC for consideration of the Indigo Ranch North at Stetson Ridge Development Plan consisting of 119.2 acres in a proposed a PUD/AO/SS (Planned Unit Development with the Airport and Streamside Overlays) zone district located southeast of Sand Creek and northwest of the Dublin Boulevard and Marksheffel Road intersection.

B-9. Appointments to various Boards and Commissions.

B-10. Resolution No. 183-12 was presented: "A RESOLUTION ACKNOWLEDGING AN IN-KIND LAND DONATION OF A 1.14 ACRE PARCEL FROM SRPC, LLC TO THE CITY OF COLORADO SPRINGS".

Motion by Herpin, second by Leigh, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present.

Ayes: Bennett, Dougan, Hente, Herpin, Leigh, Martin,
Noes: None
Absent: Czelatdko, Snider, Williams

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4. **Resolution of Appreciation.**

There were none.

CITIZEN DISCUSSION

Kanda Calef spoke regarding the Drake Power Plant.

Prior to Elizabeth Reed addressing Council, Councilmember Leigh inquired of Laura Neumann, Chief of Staff, if the City could designate one of the subsidized housing buildings as a non-smoking unit.

Ms. Neumann stated the Housing Authority Board is appointed by the Mayor and confirmed by City Council and does not take direction from either; that they follow due process, which is reasonable accommodation; that the Housing Authority has been investigated by the State's

Civil Rights Union and by HUD, and it was found in both cases, on four different occasions, the Housing Authority made reasonable accommodations for Ms. Reed's mother and in both cases, Ms. Reed appealed; that in spite of the appeal, the Housing Authority continues to do the right thing by Ms. Reed's mother; that she has a complete report from Chad Wright, Assistant to the Housing Authority.

Ms. Reed stated the reasonable accommodations Mr. Wright mentioned are to: 1) let Ms. Reed's mother out of her lease in which she pays $178 subsidy rent; that without the subsidy rent, it would cost $500 - $600 a month; 2) give her a positive reference if she were to move somewhere else; 3) give her air purifiers; 4) move her mother to another unit; and 5) move her mother to the south half of the building that has twelve smokers.

Ms. Neumann stated Mr. Wright was not in the audience, but believes he would appreciate the opportunity to speak on behalf of the Housing Authority, if it was found appropriate; that it was her understanding, the Housing Authority is in the process of trying to relocate the two neighbors who smoke close to Ms. Reed's mother; that both of those individuals need wheelchair access and although the Housing Authority does not need to, they are attempting to relocate them to be able to accommodate Ms. Reed.

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5. **Approval of Minutes.**

Motion by Herpin, second by Bennett, that the Minutes of the regular Council Meeting of November 27, 2012, be approved as written. The motion unanimously carried.

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6. **Mayor's Communications.**

Ms. Neumann stated the positions for the MHS/UCH Foundation Board of Trustees will be posted on the City's website on January 7, 2013, for approximately two weeks; that the Human Resources Department will vet through the candidates and set up panel interviews; that recommendations to Mayor Bach are expected to be made by February 14th; that there will be a press release.

UTILITIES BUSINESS

7. Resolution No. 184-12 was presented: "A RESOLUTION AUTHORIZING THE USE OF EMINENT DOMAIN TO CONDEMN CERTAIN RIGHTS OF WAY FOR SOUTHERN DELIVERY SYSTEM PROJECT IMPROVEMENTS".

Lyman Ho, Land Acquisition Manager for the Southern Delivery System, stated the proposed resolution is for permission to proceed with eminent domain for acquiring nine properties in El Paso County related to the construction of the Southern Delivery System; that four of the properties are held by one owner and five of the properties are held by another, both of which, have not accepted the City's offer; that they are trying to meet the construction schedule; that they have a full notice to proceed February 4, 2013, and to be able to proceed on these

properties, they would have to have a hearing for immediate possession, if necessary, prior to February 4th; that they are trying to maintain the schedule to avoid additional costs or delays to the project.

In response to questions from Council, Mr. Ho stated there is one parcel they are trying to acquire a fee interest for a pump station with the first owner; that they are essentially in negotiations with both owners, but things are not moving as quickly as need be.

Motion by Bennett, second by Martin, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Hente, Herpin, Leigh, Martin, Snider, Williams
Noes: Dougan
Absent: None

President Hente declared the motion carried.

UNFINISHED BUSINESS

8. Ordinance No. 12-104 entitled, "AN ORDINANCE IDENTIFYING AND ACCEPTING THE ANNUAL SOURCES OF FUNDS FOR COLORADO SPRINGS UTILITIES FOR THE YEAR ENDING DECEMBER 31, 2013" was brought up on second presentation.

Bill Cherrier, Utilities Chief Planning and Finance Officer, approached to answer questions.

Motion by Herpin, second by Bennett, that the ordinance be finally passed.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams
Noes: Dougan, Leigh
Absent: None

President Hente declared the motion carried.

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9. Ordinance No.12-105 entitled "AN ORDINANCE APPROVING THE ANNUAL BUDGET FOR COLORADO SPRINGS UTILITIES AND APPROPRIATING MONIES FOR THE SEVERAL PURPOSES NAMED IN THE ANNUAL BUDGET FOR COLORADO SPRINGS UTILITIES FOR THE YEAR ENDING DECEMBER 31, 2013" was brought up on second presentation.

Mr. Cherrier approached to answer questions.

Motion by Herpin, second by Martin, that the ordinance be finally passed.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams
Noes: Dougan, Leigh
Absent: None

President Hente declared the motion carried.

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10. **SEE ACTION TAKEN EARLIER IN THE MEETING.**

NEW BUSINESS

11. Ordinance No. 12-110 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 11-95 (2012 APPROPRIATION ORDINANCE) FOR THE BURN AREA WATERSHED ASSESSMENT BY INCREASING THE EXPENDITURE APPROPRIATIONS TO THE GENERAL FUND IN THE AMOUNT OF $50,000 IN THE FIRE APPROPRIATION DEPARTMENT" was introduced and read.

Bret Waters, Emergency Management Director, approached to answer questions.

Motion by Martin, second by Bennett, that the ordinance be passed as introduced.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

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12. Ordinance No. 12-111 entitled "AN ORDINANCE TO APPROVE THE ADOPTION OF THE REVISED AMENDMENTS TO THE 2009 INTERNATIONAL FIRE CODE AS A RESULT OF FINDINGS FROM THE WALDO CANYON FIRE" was introduced and read.

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President Hente was excused.

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In the absence of President Hente, President Pro Tem Martin Presided.

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Rich Brown, Fire Chief, stated Council has been informed of some of the findings that have come to fruition regarding causes of destruction in the Waldo Canyon fire and of recent conversations with local lending companies regarding low-interest loans to help people bridge the gap between property that existed prior to, and what is going to be required post Waldo Canyon fire, for rebuilds and/or new construction.

In response to Councilmember Snider, Chief Brown stated Bob Cutter, of Colorado Springs Together, has been helping those that have stepped forward and asked for help to navigate

through the loan process, but he did not have actual dates of when that has happened or is going to happen.

In response to questions from Councilmember Dougan, Chief Brown stated he has not contacted Manitou Springs, Ute Valley, or Woodland Park to see what they are doing in coordination with their codes; that regarding the stucco requirement, they are trying to increase the ignition resistance to the best of their ability; that fire inspectors will do walk-throughs once plans have been developed and are completed.

In addition, Chris Cooper, Deputy Fire Marshall, stated the Fire Department has been working with, and training the inspectors to identify points of weaknesses in the stucco, and they are doing two inspections on each house—one at the time of framing and a final inspection; that a stucco contractor is a sub-contractor to the home builder; that the home builder has to receive final inspections before they can get their certificate of occupancy; that if there are any provisions of the house that do not pass inspection, the general contractor has to have the sub-contractor complete the work and ensure it passes inspection; that the stucco requirement is for the hillside overlay, for new construction or rebuilt homes only, and is not retroactive for existing homes.

In response to a question from Councilmember Czelatdko, Chief Brown stated there is a Fire Board of Appeals which meets monthly and then ultimately, a citizen could appeal to the Fire Chief, to an issue they feel compelled to bring forward regarding alternative materials.

In response to Councilmember Williams, regarding Sections K101.1 and K102.1.2 and vegetation, Chief Brown stated those sections refer to the new homes as they are rebuilt; that as they start from scratch, they would look at the vegetation provisions and make sure people are following the smart landscaping features that have been called out; that they would be looked at on a case-by-case basis, but the intent would be to see if there is dangerous vegetation too close to a house as it is rebuilt; that there is flexibility to those that have an affinity to a group of trees; that they will work with home builders to identify those trees and help to preserve them in the best way possible.

Adam Thesing, AIA Colorado South, and Roger Wallace spoke in favor of the proposed ordinance.

Herpin moved approval of the ordinance with the following change: In Section K105.2 change the reference from M104.1 to K105.1.

Motion by Herpin, second by Bennett, that the ordinance be passed.

Ayes: Bennett, Czelatdko, Herpin, Martin, Snider, Williams, Leigh
Noes: Dougan
Absent: Hente

President Pro Tem Martin declared the motion carried.

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President Hente returned.

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13. Ordinance No. 12-112 entitled "THE ANNUAL APPROPRIATION ORDINANCE FOR THE MEMORIAL HEALTH SYSTEM ENTERPRISE ADOPTING THE ANNUAL BUDGET AND APPROPRIATING MONIES FOR THE PURPOSES NAMED IN SAID BUDGET FOR THE YEAR ENDING DECEMBER 31, 2013" was introduced and read.

Kara Skinner, Chief Financial Officer, stated the enterprise received an initial payment and has received, and will continue to receive monthly lease payments; that it has also retained some liabilities, per the agreement; that they also anticipate some legal expenses during 2013, and then ultimately, the proposed ordinance will appropriate funds so excess funds can be transferred to the Foundation.

Walter Lawson stated he would like to know what the $35 Million in appropriations is going towards; that he would also like to see some indication of what the Foundation costs would be, delineation of the categories, estimates, and what it will do, if it will exist; that not knowing, raises the question as to why monies would be designated to the Foundation when there is an organization such as Peak Vista in the community that can actively do things with the funds and has a record for doing so; that another issue that is disturbing, is the fact that $259 Million is tied up, when it was stated one of the purposes for this whole exercise was to get rid of that burden.

Ms. Skinner stated the liabilities were addressed in the lease document; that the health plan liabilities are estimated to be approximately $4 million dollars and Workers' Comp approximately $1.4 or $1.5; that they still need to settle up on the networking capital calculation with University of Colorado Health; that the presentation of the budget today is similar to that presented by other divisions or enterprises in the City. In this instance, there is only operating expenses; that they have no direct salary and benefits, and there are no employees of the enduring enterprise; that the appropriation ordinance itself, is in a similar format to the annual appropriations ordinance where we appropriate by fund, with total expenditures and total revenue.

In response to Councilmember Williams, Ms. Skinner stated the $30 Million came from the initial payment from UCH and from monthly lease payments.

Chris Melcher, City Attorney/Chief Legal Officer, stated the operating lease closed on October 1, 2012; that the way these transactions work, is you make a close based on estimated accounts payable, liabilities, and networking capital, etc.; that they made the close based on August numbers; that if you close on October 1st, you don't have September numbers; that the sum left with Memorial after the transaction, was approximately $30 million, plus the $259 million which was transferred to the Court-Supervised Escrow Account which will be held until the PERA Dispute is resolved; if the City is successful, then all $259 Million will come back to the City; if it is settled, then whatever the settlement amount is will be paid and the rest will come back to the City; that if PERA prevails, some portion of those funds will go to PERA and the remaining funds will come back to the City; that they also had all funds necessary to pay, defease and redeem the bonds; that all funds necessary for that are held with escrow agents that are supervising the pay-off or the management of those bonds; that these are the funds that remain with the enterprise; that the enterprise still exists as we know; that it is the Lessor

of the hospital and operations; that it is not anticipated these funds will be spent on anything other than remaining liabilities, or operating expenses due for the enterprise, and any legal expenses to resolve the various matters; that the goal was to ensure the City and the City General Fund were never at risk and would never be exposed to any liability or any expense, so there are plenty of funds to take care of that; that it is expected in the course of 2013, a majority of those funds remain and would be transferred to the Foundation, per Council's direction and approval per the lease; that in the next several weeks, the City will be seeking nominations for the Board of Trustees for the Foundation and once the Foundation is established, it will begin setting the course towards managing funds.

In response to questions from Councilmember Williams, Ms. Skinner stated the $30 Million is held at Compass Bank; that Memorial used Compass Bank prior to the lease transactions, so they have maintained a Memorial Health System ongoing operations account there; that City Finance has oversight of that money in which to process invoices and liabilities and make draws from that account; that ideally, the proposed ordinance was to be in place by the end of the year, but state law dictates, if there is not a second reading of an ordinance by December 31st, 90 percent of the previous year's appropriation is in effect until the second reading; that for one week, the appropriation will be 90 percent of the 2012 appropriation; that it did not get presented to Council prior to this date, as the previous Memorial Health System Staff appropriated their funds independently of City Finance and there was a lot of change happening with this.

Motion by Herpin, second by Bennett, that the proposed ordinance be passed as introduced.

To follow up on Walter Lawson's request, Councilmember Williams inquired where the purposes for the funds were listed.

Ms. Skinner stated they are listed on the attached budget, under expenditures, which is whatever qualifies as an operating expenditure in contrast to a salary/benefit expenditure or a capital outlay expenditure.

In addition, Mr. Melcher stated that upon the transfer of the operations, Memorial has no employees; therefore, the City, as the owner of the enterprise, loans its employees to the enterprise to do the work. For example, Ms. Skinner and her staff are doing the work on the finance issues and his office is doing the work on the legal issues; that if there is other work that needs to be done, then the City would use City Employees to supply those services to the enterprise; that the enterprise remains under the charter and under the direction of City Council; that there is no intent to use any of these funds for any purpose other than what has been expected.

In response to questions from Council, Mr. Melcher stated from October 1st, going forward, UCH will deal with Workers' Comp claims and all other issues. This is just anything that's prior to October 1st; that the enterprise will reimburse the City for the cost of the services it is providing to the enterprise; that currently, the City has $289 Million set aside for liabilities; that the $30 Million is independent of the first $50 Million set aside for liabilities.

A vote being taken on the motion:

Ayes: Bennett, Herpin, Martin, Snider, Williams, Leigh, Dougan, Hente
Noes: Czelatdko
Absent: None

President Hente declared the motion carried.

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14. **Park Vista Addition Nos. 3A – 3F Annexations**

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Item Nos. 14A – 14S were considered together.

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14A. CPC A 12-00019: Public hearing on a request by CTR Engineering, Inc. on behalf of Bahr Holdings, LLC, Trevor and Sheri Rockwood, R.W. Case and Aces Four Investment, LLC to annex Park Vista Addition No. 3A consisting of 1.32 acres located southwest of Date Street and Siferd Boulevard.

Steve Tuck, Senior Planner, gave a brief presentation and approached to answer questions.

There being no questions from the public on the public hearing items, President Hente declared all public hearings closed.

Motion by Herpin, second by Snider, that the request be approved.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14B. Resolution No. 185-12 was presented: "A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS OF LAW BASED THEREON AND DETERMINING THE STATUS OF THE TERRITORY KNOWN AS PARK VISTA ADDITION NO. 3A".

Motion by Herpin, second by Snider, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14C. Ordinance No. 12-113 entitled "AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS PARK VISTA ADDITION NO. 3A" was introduced and read.

Motion by Herpin, second by Snider, that the ordinance be passed as introduced.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14D. CPC A 12-00020: Public hearing on a request by CTR Engineering, Inc. on behalf of Bahr Holdings, LLC, Trevor and Sheri Rockwood, R.W. Case and Acres Four Investment, LLC to annex Park Vista Addition No. 3B consisting of 0.84 acre located southeast of Date Street and Beverly Street.

There being no questions from the public on the public hearing items, President Hente declared all public hearings closed.

Motion by Herpin, second by Snider, that the request be approved

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14E. Resolution No. 186-12 was presented: "A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS OF LAW BASED THEREON AND DETERMINING THE STATUS OF THE TERRITORY KNOWN AS PARK VISTA ADDITION NO. 3B".

Motion by Herpin, second by Snider, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14F. Ordinance No. 12-114 entitled "AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS PARK VISTA ADDITION NO. 3B" was introduced and read.

Motion by Herpin, second by Snider, that the ordinance be passed as introduced.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None

Absent: None

President Hente declared the motion carried.

14G. CPC A 12-00021: Public hearing on a request by CTR Engineering, Inc. on behalf of Bahr Holdings, LLC, Trevor and Sheri Rockwood, R.W. Case and Acres Four Investment, LLC to annex Park Vista Addition No. 3C consisting of 0.33 acre located south of Beverly Street and Rosalie Street.

There being no questions from the public on the public hearing items, President Hente declared all public hearings closed.

Motion by Herpin, second by Snider, that the request be approved.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14H. Resolution No. 187-12 was presented: "A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS OF LAW BASED THEREON AND DETERMINING THE STATUS OF THE TERRITORY KNOWN AS PARK VISTA ADDITION NO. 3C".

Motion by Herpin, second by Snider, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14I. Ordinance No. 12-115 entitled "AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS PARK VISTA ADDITION NO. 3C" was introduced and read.

Motion by Herpin, second by Snider, that the ordinance be passed as introduced.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14J. CPC A 12-00022: Public hearing on a request by CTR Engineering, Inc. on behalf of Bahr Holdings, LLC, Trevor and Sheri Rockwood, R.W. Case and Acres Four Investment, LLC to annex Park Vista Addition No. 3D consisting of 1.16 acres located northeast of Beverly Street and Rosalie Street.

There being no questions from the public on the public hearing items, President Hente declared all public hearings closed.

Motion by Herpin, second by Snider, that the request be approved.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14K. Resolution No. 188-12 was presented: "A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS OF LAW BASED THEREON AND DETERMINING THE STATUS OF THE TERRITORY KNOWN AS PARK VISTA ADDITION NO. 3D".

Motion by Herpin, second by Snider, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14L. Ordinance No. 12-116 entitled "AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS PARK VISTA ADDITION NO. 3D" was introduced and read.

Motion by Herpin, second by Snider, that the ordinance be passed as introduced.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14M. <u>CPC A 12-00023: Public hearing on a request by CTR Engineering, Inc. on behalf of Bahr Holdings, LLC, Trevor and Sheri Rockwood, R.W. Case and Acres Four Investment, LLC to annex Park Vista Addition No. 3E consisting of 1.49 acres located southeast of Beverly Street and Rosalie Street.</u>

There being no questions from the public on the public hearing items, President Hente declared all public hearings closed.

Motion by Herpin, second by Snider, that the request be approved.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14N. Resolution No. 189-12 was presented: "A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS OF LAW BASED THEREON AND DETERMINING THE STATUS OF THE TERRITORY KNOWN AS PARK VISTA ADDITION NO. 3E".

Motion by Herpin, second by Snider, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14O. Ordinance No. 12-117 entitled "AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS PARK VISTA ADDITION NO. 3E" was introduced and read.

Motion by Herpin, second by Snider, that the ordinance be passed as introduced.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14P. <u>CPC A 12-00024: Public hearing on a request by CTR Engineering, Inc. on behalf of Bahr Holdings, LLC, Trevor and Sheri Rockwood, R.W. Case and Acres Four Investment, LLC to annex Park Vista Addition No. 3F consisting of 1.24 acres located southwest of Rosalie Street and Siferd Street.</u>

There being no questions from the public on the public hearing items, President Hente declared all public hearings closed.

Motion by Herpin, second by Snider, that the request be approved.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14Q. Resolution No. 190-12 was presented: "A RESOLUTION SETTING FORTH FINDINGS OF FACT AND CONCLUSIONS OF LAW BASED THEREON AND DETERMINING THE STATUS OF THE TERRITORY KNOWN AS PARK VISTA ADDITION NO. 3F".

Motion by Herpin, second by Snider, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14R. Ordinance No. 12-118 entitled "AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS PARK VISTA ADDITION NO. 3F" was introduced and read.

Motion by Herpin, second by Snider, that the ordinance be passed as introduced.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

14S. CPC ZC 12-00063: Ordinance No. 12-119 entitled "AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 6.38 ACRES LOCATED SOUTH OF DATE STREET AND EAST OF BEVERLY STREET" (Establishing a R-5 (Multi-Family Residential) zone) was introduced and read.

Motion by Herpin , second by Snider, that the ordinance be passed as introduced.

Ayes: Bennett, Czelatdko, Hente, Herpin, Martin, Snider, Williams, Dougan, Leigh
Noes: None
Absent: None

President Hente declared the motion carried.

At 4:05 P.M., there being no further business to come before City Council,

COUNCIL ADJOURNED

Sarah B. Johnson

Sarah B. Johnson
City Clerk